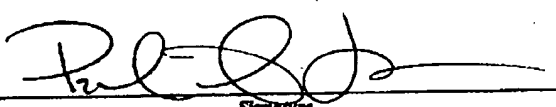
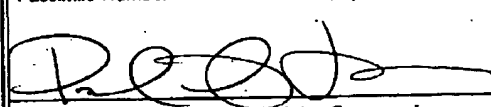
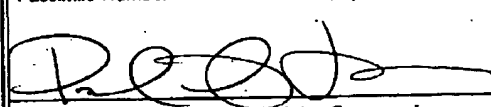
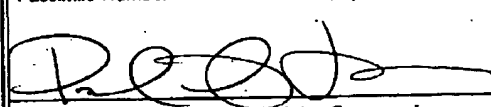
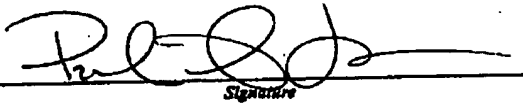





JUL 14 2005

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES (Small Entity)			Docket No. CS-02-000131	
In Re Application Of: Yoshimi Baba				
Serial No. 09/494,507	Filing Date January 31, 2000	Examiner David Y. Jung	Group Art Unit 2134	
invention: SYSTEM FOR MONITORING NETWORK FOR CRACKER ATTACK				
<p style="text-align: center;"><u>TO THE COMMISSIONER FOR PATENTS</u></p> <p>Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated January 14, 2005 finally rejecting Claim(s) 1-13, 17, 18, 20, 21, 23, 24, 28 and 29.</p> <p>Applicant is a small entity under 37 CFR 1.9 and 1.27.</p> <p>A verified statement of small entity status under 37 CFR 1.27:</p> <p><input type="checkbox"/> is enclosed.</p> <p><input checked="" type="checkbox"/> has already been filed in this application.</p> <p>The fee for this Notice of Appeal is: \$250.00</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input checked="" type="checkbox"/> The Commissioner has already been authorized to charge fees in this application to a Deposit Account. <u>Extension fees in this application, to July 14, 2005, have already been paid.</u></p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 07-2519.</p> <p>A duplicate copy of this sheet is enclosed.</p> <p> Signature</p> <p>Dated: July 14, 2005</p> <p>Paul A. Guss Reg. No. 33,099</p> <p>775 South 23rd Street First Floor, Suite 2 Arlington, VA 22202 (703) 486-2710</p> <table border="1"><tr><td><p>I certify that this document and fee authorization is being submitted via facsimile to the USPTO's Centralized Facsimile Number 703-872-9308 on July 14, 2005.</p><p> Signature of Person Submitting Correspondence</p><p>Paul A. Guss Typed or Printed Name of Person Submitting Correspondence</p></td></tr></table>				<p>I certify that this document and fee authorization is being submitted via facsimile to the USPTO's Centralized Facsimile Number 703-872-9308 on July 14, 2005.</p> <p> Signature of Person Submitting Correspondence</p> <p>Paul A. Guss Typed or Printed Name of Person Submitting Correspondence</p>
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of
Yoshimi BABA

U.S. Serial No. 09/494,507

Group Art Unit: 2134

Filing Date: January 31, 2004

Examiner: D. Jung

Title: SYSTEM FOR MONITORING NETWORK FOR CRACKER ATTACK

SUPPLEMENTAL REMARKS ACCOMPANYING NOTICE OF APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Notice of Appeal is being submitted to forestall abandonment of the present application due to expiration of the six month statutory period. The applicant, however, is still awaiting the next Examiner's action, in reply to the applicant's response submitted on June 16, 2005 (Response to Final Office Action).

"An examiner is expected to turn in a response to an amendment after final rejection within 10 calendar days from the time the amendment is received by the examiner." MPEP § 714.13

As indicated in the PAIR record for the present application, the applicant's response after final rejection was forwarded to the Examiner on June 25, 2005. Accordingly, the Examiner's action following the applicant's response is long overdue. The Examiner's immediate attention is respectfully requested.

07/15/2005 TL0111 00000037 072519 09494507
01 FC:2401 250.00 DA

Respectfully submitted,



Paul A. Guss
Reg. No. 33,099
Attorney for Applicants

CS-02-000131